

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

RAMI AWAD,

Plaintiff,

v.

NATIONAL CITY BANK, *et al.*,

Defendants.

Civil Action No.

1:09-cv-0261

Judge James S. Gwin

**DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

NOW COMES defendants The PNC Financial Services Group, Inc., National City Bank and Nancy Malta (collectively, "Defendants"), by and through counsel, and move this Court, pursuant to Rule 56 of the Federal Rules of Civil Procedure, to grant summary judgment in their favor and against plaintiff Rami Awad ("Plaintiff") on all claims against Defendants, specifically Plaintiff's claims of race discrimination and retaliation, and allegations of discriminatory discharge, on-the-job discrimination, failure to promote and hostile work environment in violation of Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 1981 and the Ohio Revised Code § 4112. Summary judgment is appropriate because no genuine issue of material fact exists and because Defendants are entitled to judgment as a matter of law. A Memorandum of Law in support of this Motion is attached hereto and incorporated herein by reference.

Date: January 4, 2010

National City Bank, The PNC Financial Service  
Group, Inc. and Nancy Malta  
By their Attorneys,

/s/ Karen L. Giffen

Karen L. Giffen (0042663)  
Giffen & Kaminski, LLC  
1300 East Ninth Street, Suite 1600  
Cleveland, Ohio 44114  
Telephone: (216) 621-5161  
Facsimile: (216) 621-2399  
Email: [kgiffen@thinkgk.com](mailto:kgiffen@thinkgk.com)

/s/ Gary Lieberman

Gary Lieberman, pro hac vice  
Edwards Angell Palmer & Dodge LLP  
111 Huntington Avenue  
Boston, MA 02199  
Telephone: (617) 235-5305  
Facsimile: (866) 204-4437  
Email: [glieberman@eapdlaw.com](mailto:glieberman@eapdlaw.com)

**Certificate of Service**

I hereby certify that on this 4th day of January, 2010, I electronically filed **Defendants' Motion For Summary Judgment** using the CM/ECF System, which will send such filing to the following:

Romin Iqbal, Esquire  
1505 Bethel Road, Suite 200  
Columbus, OH, OH 43212

Subodh Chandra, Esquire  
Donald P. Screen, Esquire  
Chandra Law Firm  
1265 West 6<sup>th</sup> Street, Suite 400  
Cleveland, OH 44113

/s/ Karen L. Giffen  
Karen L. Giffen